



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 27, 2023

BY ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. Farouk Kukoyi, 20 Cr. 3 (KPF)

Dear Judge Failla:

On October 23, 2023, the Court directed the Government to respond by November 6, 2023 to the petition of insurers for an ancillary hearing on certain forfeited funds in this case. (Dkt. 484). For the reasons set forth below, the Government respectfully requests that the Court adjourn the deadline for the Government's response to December 18, 2023.

On or about July 25, 2023, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property and Substitute Assets / Money Judgment (the "Forfeiture Order"), forfeiting to the Government all of defendant Farouk Kukoyi's right, title and interest in the specific property and substitute property listed in the Forfeiture Order. (Dkt. 470). Pursuant to Federal Rule of Criminal Procedure 32.2(b)(6), which governs criminal forfeiture proceedings, the Government began publication of notice of the Forfeiture Order on www.forfeiture.gov on October 4, 2023. The Government also provided direct notice to all third parties with a potential interest in the forfeited property. The publication period will end on December 3, 2023.

In order to provide potential claimants with an opportunity to respond to the publication and direct notice, the Government respectfully requests that no action in this forfeiture matter take place until the publication period expires on December 3, 2023. At that time, the Government will commence review of all petitions. The Government requests until December 18, 2023 — approximately two weeks after the publication period expires — to further update the Court.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By:

A handwritten signature in blue ink, appearing to read "Alexander Li".

Alexander Li / Thomas Burnett
Assistant United States Attorneys
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Application GRANTED. The deadline by which the Government must file a response to the petition of the insurers for an ancillary hearing (and to any petitions not yet filed by other interested third parties) is hereby ADJOURNED to December 18, 2023.

The Clerk of Court is directed to terminate the pending motion at docket entry 487.

Dated: October 30, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE